

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	
	:	
	:	
Plaintiff,	:	Case No. 08-cr-779 (PGS)
	:	
v.	:	MEMORANDUM AND
	:	ORDER
ANTOINE DOBSON	:	
	:	
	:	
Defendant.	:	

The defendant, Antoine Dobson, seeks to be released on bail during the pendency of appeal. As the defendant alleges, he is not considered a danger to the community or a risk of flight. In fact, Dobson had a full time job and was a reliable employee at the time of sentencing. On the other hand, defendant was immediately incarcerated after sentencing for two reasons.

First, to release him on bail would undermine the deterrent effect of the sentence. In this case, Mr. Dobson, a United States Marshal, purchased a handgun through the U.S. Marshals Service and then knowingly disposed the handgun to a convicted felon in violation of federal law. He was also convicted of perjury. The sentence imposed was to deter other law enforcement agents from acting in such an outrageous manner. *See U.S. v. Miller*, 753 F. 2d 19, 22 (3d Cir. 1985).

The second reason was to avoid unwarranted sentencing disparities among persons engaged in similar conduct (§3553 factor). In this case, the felon accepting the handgun (Mr. Langford Davis) was immediately incarcerated after sentencing, so it was fair to incarcerate Mr. Dobson as promptly for his conduct.

It is on this 13th day of January, 2011

ORDERED that the motion to be released on bail is denied.



PETER G. SHERIDAN, U.S.D.J.